

# EXHIBIT 1

## to Memo iso Motion to Compel Production

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**MARK F. GUIMOND and KALLIE A.  
GUIMOND, on behalf of themselves and  
others similarly situated,**

**Plaintiffs,**

**v.**

**TOYOTA MOTOR CREDIT  
CORPORATION,**

**Defendant.**

**C.A. No. 3:12-cv-00606-JAG**

**DEFENDANT TOYOTA MOTOR CREDIT CORPORATION'S  
FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFFS**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, defendant Toyota Motor Credit Corporation ("TMCC") requests that within thirty (30) days of service hereof (by January 10, 2013), plaintiffs Mark F. Guimond and Kallie A. Guimond produce the following documents for inspection and copying at the offices of Sheppard, Mullin, Richter & Hampton, LLP, 1300 I Street, N.W., 11th Floor East, Washington, D.C. 20005-3314.

**DEFINITIONS**

For purposes of these requests for production ("Requests") only, the following terms shall have the following meanings:

1. The term "document" shall have the same meaning as it is used in Fed. R. Civ. P. 34(a) and includes, without limitation, internal memoranda, e-mails, voicemails, phone records and handwritten notes. Each draft or non-identical copy is a separate document within the meaning of this term.

2. The terms “you” or “your” means and refers to Mr. Guimond, Mrs. Guimond, and/or their attorneys, accountants, financial advisors, and/or other agents.

3. The phrases “relating to” and “referred to” when used with respect to any given subject means consisting, constituting, containing, concerning, comprising, embodying, evidencing, reflecting, identifying, stating, referring to, relating to, pertaining to, dealing with, or having any logical or factual connection whatsoever with that subject, regardless of whether the connection is favorable or adverse to you.

4. The term “any” includes “all,” and vice-versa.

5. The term “FAC” means and refers to the Amended Class Action Complaint filed by plaintiffs in this action on December 5, 2012.

### **INSTRUCTIONS**

1. These Requests are continuing in nature so as to require you to file supplementary responses if you obtain new and/or different information up to and including the time of trial.

2. Documents shall be produced (a) as they are kept in the usual course of business; or (b) organized and labeled to correspond to the categories in the Requests.

3. These Requests cover all documents that are within your custody and/or control, regardless of whether they are currently in your possession. Thus, the scope of these requests includes, *inter alia*, responsive documents that are in the possession of your present and/or former attorneys, accountants, financial advisors, and/or other agents.

4. If any responsive document no longer exists, cannot be located, and/or is not in your custody and/or control, identify it, describe its subject matter, describe its disposition, and identify all persons with knowledge of the disposition.

5. If you withhold any responsive document on the ground that it is privileged and/or otherwise excludable from discovery, identify the document withheld, describe its subject matter, and specify the basis for the claimed privilege and/or other grounds of exclusion.

#### **REQUESTS FOR PRODUCTION**

1. All documents relating to the lawsuit against Equifax alleged in paragraph 5 of the FAC.

2. All documents relating to the allegation in paragraph 5 of the FAC that Mr. Guimond's credit report was "taken offline or frozen by Equifax."

3. All documents relating to the vehicle purchase and credit application alleged in paragraph 6 of the FAC.

4. All documents relating to the allegation in paragraph 7 of the FAC that TMCC "requested and received Mrs. Guimond's credit report from both Experian and Equifax."

5. All documents relating to the allegation in paragraph 8 of the FAC that TMCC "requested and received Mr. Guimond's credit report from Experian."

6. All documents relating to the allegation in paragraph 8 of the FAC that TMCC "requested Mr. Guimond's credit report from Equifax through its automated process."

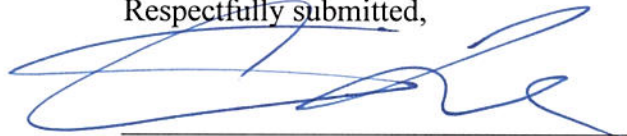
7. All documents relating to the allegation in paragraphs 5 and 8 of the FAC that Mr. Guimond's Equifax credit report "was available if requested manually."

8. All documents relating to the January 25, 2011 denial letter alleged in paragraph 9 of the FAC, including (for inspection) the original of that letter and the envelope in which it was enclosed.

9. All documents relating to the allegation in paragraph 20 of the FAC that TMCC received "a message that it could access [Mr. Guimond's] report by manually contacting and telephoning Equifax."

10. All documents relating to any communications between you and TMCC.
11. All documents relating to any communications between you and the dealership from which you sought to purchase the vehicle referred to in paragraph 6 of the FAC.
12. All documents relating to the credit application to ADP/Linsay Chevrolet referred to in the document produced by Plaintiffs bearing the Bates number "Guimond v. Toyota0007," including the result of that credit application.
13. All documents relating to the credit application to Condor Capital Corp referred to in the document produced by Plaintiffs bearing the Bates number "Guimond v. Toyota0007," including the result of that credit application.

Respectfully submitted,



Ryan Jennifer Rosner (VSB No. 82586)  
Christopher M. Loveland (*pro hac vice*)  
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*Counsel for Defendant*  
*Toyota Motor Credit Corporation*

Dated: December 11, 2012



OF COUNSEL:

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### CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2012, I caused to be served the foregoing document via electronic mail and first class mail, postage prepaid, on the following:

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*Counsel for Plaintiffs*  
*Mark F. Guimond and Kallie A. Guimond*



Christopher M. Loveland